

**BEST AVAILABLE COPY****Docket No. 31896-066100 (AHP98126 1C1)  
Patent****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**In re application of: Bradley A. Ozenberger *et al.*

Application No.: 09/774,936

Art Unit: 1647

Filed: 01/31/2001

Examiner: Stephen Gucker

For:  $\beta$ -Amyloid Peptide Binding Proteins  
and Polynucleotides Encoding The Same

Customer No.: 22204

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CENTRAL FAX CENTER****FEB 15 2005****Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450****DECLARATION CONCERNING DEPOSITS UNDER THE BUDAPEST TREATY**

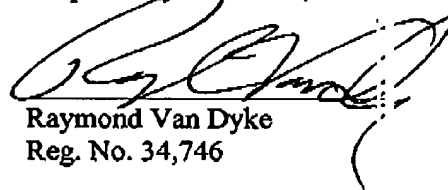
Applicants' undersigned representative hereby declares on information and belief that clone BBP-fl was deposited with American Type Culture Collection (ATCC), 10301 University Boulevard, Manassas, VA 20110, under the provisions of the Budapest Treaty on December 11, 1997, and has been assigned Accession No. 98617; and that clone pEK 196 was deposited with ATCC under the provisions of the Budapest Treaty on April 9, 1997, and has been assigned Accession No. 98366. ATCC is an International Depository Authority under the Budapest Treaty.

Applicants' representative also declares on information and belief that all restrictions upon public accession to the aforesaid deposits will be irrevocably removed upon the grant of a patent on the above-identified application pursuant to 37 CFR 1.808; that the deposits have been deposited under conditions that ensure the access to the deposited materials will be available during pendency of the above-identified application to one determined by the Commissioner to be entitled thereto under 37 C.F.R. § 1.14 and 35 U.S.C. § 122; that each deposit will be stored with all care necessary to keep it viable and uncontaminated for a period of at least five years after the most recent request for the furnishing of a sample of the deposit, and in any case at least thirty (30) years after the date of deposit or for the enforceable life of the patent, whichever is longer; and that the deposits will be replaced if viable samples cannot be dispensed by the depository.

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Applicants' representative also declares that all statements made therein of his/her own knowledge are true and that all statements made on information and belief are believed to be true; and that these statements were made with knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the instant patent application or any patent issuing thereon.

Respectfully submitted,



Raymond Van Dyke  
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Date: February 15, 2005

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